

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CA, INC., COMPUTER ASSOCIATES  
THINK, INC., PLATINUM TECHNOLOGY :  
INTERNATIONAL, INC. and PLATINUM  
TECHNOLOGY IP, INC., :  
  
Plaintiffs, : Civil Action No.  
v. : 07-CV-1476 (ADS)(MLO)  
  
ROCKET SOFTWARE, INC., :  
  
Defendant. :

----- X  
**DECLARATION OF P. ANTHONY SAMMI  
IN SUPPORT OF ROCKET'S MOTION IN LIMINE FOR AN  
ORDER THAT APPORTIONMENT IS THE APPROPRIATE METHOD  
TO CALCULATE DAMAGES UNDER THIS COURT'S DECISION IN CA V. *ALTAI***

I, P. ANTHONY SAMMI, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am a member of the Bar of the State of New York and a member of the Bar of this Court. I am counsel at Skadden, Arps, Slate, Meagher & Flom LLP and counsel of record for defendant Rocket Software, Inc. in this action. I submit this declaration in support of *Rocket's Motion In Limine For An Order That Apportionment Is The Appropriate Method To Calculate Damages Under This Court's Decision In CA v. Altai* and for the purpose of transmitting to the Court true and correct copies of the documents submitted herewith.

2. Attached hereto as Exhibit A is a true and correct copy of the Expert Report of John C. Jarosz submitted on July 30, 2008 (filed under seal).

3. Attached hereto as Exhibit B is a true and correct copy of the Rebuttal Expert Report of Kathleen M. Kedrowski submitted October 9, 2008 (filed under seal).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 2, 2009.

/s/ P. Anthony Sammi  
P. Anthony Sammi  
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**CERTIFICATE OF SERVICE**

I, P. Anthony Sammi, hereby certify that on February 2, 2009, I caused a true and correct copy of the foregoing document to be served upon the following counsel for plaintiffs by the means of service so indicated:

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Dated: February 2, 2009

/s/ P. Anthony Sammi  
P. Anthony Sammi